

## Message Text

UNCLASSIFIED

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ACTION CPR-01

INFO OCT-01 AF-10 ISO-00 L-03 JUSE-00 OPR-02 A-01  
TRSE-00 /018 W

-----104617 200458Z /12

R 191733Z AUG 77  
FM AMEMBASSY DAKAR  
TO SECSTATE WASHDC 0687

UNCLAS DAKAR 5613

E.O. 11652: N/A  
TAGS: PDIP  
SUBJECT: HOST COUNTRY REQUIREMENTS FOR AUTOMOBILELIABILITY  
INSURANCE

REF: STATE 189095

1. RESPONSES ARE KEYED TO RESTIONS POSED REFTEL AS FOLLOWS:

A. YES. MANDATORY INSURANCE WAS INSTITUTED EFFECTIVE 1 JANUARY 1977 BY LAW NO. 74-33 DATED 18 JULY 1974 (PUBLISHED IN JOURNAL OFFICIEL 26 AUGUST 74) AND DECREE NO. 74-865 OF 26 AUGUST 1974 (PUBLISHED IN JOURNAL OFFICIEL 21 SEPTEMBRE 77).

B. MINIMUM COVERAGE IS (\$200,000) 50,000,000 CFA REQUIRED BY LAW, BUT ALL INSURANCE AGENTS ROUTINELY WRITE UNLIMITED LIABILITY INSURANCE AND THIS IS THE ONLY KIND AVAILABLE. SO FOR PRACTICAL PURPOSES ALL INSURANCE WRITTEN IS UNLIMITED LIABILITY. REQUIREMENTS FOR INSURANCE IS NOT ENFORCED IN ANY SYSTEMATIC WAY AGAINST DIPLOMATS OR ANYBODY ELSE. POLICE CONTROLS ON HIGHWAYS CATCH EVADERS BUT DIPLOMATS ARE RARELY STOPPED. LAW PROVIDES FOR FINES AND POSSIBLE TOW AWAY OF LAW BREAKERS BUT PRESUMABLY DIPLOMATS WOULD BE IMMUNE FROM LEGAL PENALTIES. BELIEVE THIS HAS NOT BEEN TESTED LEGALLY.

C. FOREIGN DIPLOMATIC MISSION PERSONNEL ARE COVERED BY THE  
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LAW OCCORDING TO GENERAL UNDERSTANDING AND PRACTICE, ALTHOUGH SOME WORKING MIGHT LEAVE THE QUESTION OPEN TO ARGUMENT. THUS FAR, NO DIPLOMAT HAS TESTED LOOPHOLES OR MADE AN ISSUE. RATHER GENERAL PRACTICE IS TO FALL IN LINE AND OBEY THE LAW.

D. NOT APPLICABLE.

E. PLAINTIFF NORMALLY SUES DEFENDANT AND ALSO SUES INSURANCE COMPANY AT SAME TIME. THIS PROCEDURE BRINGS INSURANCE COMPANY IN AS DIRECT DEFENDANT AND COMPANY CANNOT RAISE DIPLOMAT'S IMMUNITY AS DEFENSE IN COURT.

F. NO. INSURANCE COMPANY WOULD HAVE A THEORETICAL CAUSE OF ACTION AGAINST INSURED FOR HIS FAILURE TO COOPERATE BUT CANNOT RAISE THIS AS DEFENSE.

G. N/A

H. GOS DOES NOT PROVIDE ANY ASSISTANCE IN OBTAINING INSURANCE, BUT THERE ARE A NUMBER OF COMPANIES WRITING INSURANCE SO IT IS UP TO MISSIONS/INDIVIDUALS TO SEEK OUT COMPANY AND OBTAIN INSURANCE.

I. PERMIUM RATES ARE THE SAME FOR DIPLOMATS, NON-DIPLOMATS, CITIZENS AND NON-CITIZENS WITHOUT DISTINCTION. HOWEVER, DIPLOMATS ARE GIVEN TAX-FREE PREMIUMS, WHICH IN EFFECT LOWER COST SLIGHTLY.

J. CONTRACTS ARE STANDARD.

K. NO

L. INSURANCE IS UNLIMITED IN SENEGAL SOY THIS WOULD NOT APPLY.  
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M. NOT AWARE OF ANY NOTORIOUS CASES OF PERSONNEL INJURY OR DEATH CAUSED BY DIPLOMATS.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Copy:** SINGLE  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
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**Disposition Approved on Date:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
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**Office:** ACTION CPR  
**Original Classification:** UNCLASSIFIED  
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**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** HOST COUNTRY REQUIREMENTS FOR AUTOMOBILELIABILITY INSURANCE  
**TAGS:** PDIP, APER  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009